

III. Remarks

Claims 1-11 are pending in this application. The following remarks are provided to facilitate early allowance of the currently claimed subject matter. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-7 and 10-11 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chmielewski et al. (USPN 5,946,465); claim 9 was rejected under 35 U.S.C. § 102(e) as being anticipated by Takahashi et al. (USPN 6,539,481 B1); and claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Chmielewski et al. in view of Takahashi et al. Applicant respectfully traverses these rejections and requests withdrawal for the reasons stated below.

With regarding to claims 1, 5 and 10, the current invention includes, *inter alia*, “determining whether the resources have been held by the remote client without activity for a period longer than a preset threshold[,]” as recited in claim 1 and claimed similarly in claims 5 and 10. As described in the specification of the current invention, for example, “the period since the last use (in column 310 of Fig. 3) to the present is compared with a threshold (if set) to determine whether the resource has been held without activity longer than a preset period of time.” (See, page 12). Contrary to the Office’s assertion, Applicant submits that Chmielewski et

al. do not disclose, *inter alia*, this feature of the current invention. In Chmielewski et al., "Telnet server 250 issues in step 212 a DO TIMING MARK to Telnet client 252" (col. 3, lines 49-50), and no matter "whether the client responds to a DO TIMING MARK with a WILL TIMING MARK or a WONT TIMING MARK[,] the elapse time is [used] for calculating the RTT." (Col. 4, lines 28-31). "If, in step 266, it is calculated that the wait time (Δt) exceeds the previously calculated WAIT time, then in step 268 Telnet server 250 releases system resources being used by this client 252." (Col. 4, lines 39-42). In view of the foregoing, Chmielewski et al. do not determine "whether the resources have been held by the remote client without activity for a period longer than a preset threshold" as the current invention does. (Claim 1 of the current invention). (Emphasis added). Instead, Chmielewski et al. determines whether a remote client responds to an inquiry from a server within a preset time limit. Chmielewski et al. will release system resources being used by a client if the client does not respond to an inquiry within a preset time limit even if the client is still using the resources. By sharp contrast, the current invention determines, *inter alia*, whether a client has not used the resources for a period longer than a preset threshold. In view of the foregoing, Chmielewski et al. do not anticipate the current invention and Applicant respectfully requests withdrawal of the rejections.

With regarding to claim 9, Takahashi et al. do not disclose "determining whether a client has been using a resource within a predetermined period of time and, if not, releasing the resource[.]" The Takahashi et al. system checks whether a use period of a temporary registered user is expired and if the use period is expired, the Takahashi et al. system, instead of "releasing the resource[.]" checks whether the user is still using the resource by determining a last use date.

(See, col. 8, lines 1-13.) In the Takahashi et al. system, if a user is still using a resource, the resource will not be released, even though the use period is expired. (See, col. 8, lines 16-23. "If the user whose use period has expired is using the system at the present, ... The message asks whether the user postpones the use period... If the user requests a postponement of the expiration, a new use period is set [.]") That is, Takahashi et al. do not disclose "releasing the resource" if the client has not been using the "resource within a predetermined period of time."

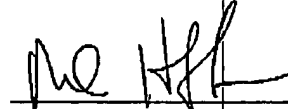
In the Office Action, with regarding to Takahashi et al., the Office asserts that "[in] the case where the use period expires and the user chooses to prolong the use period for an additional 10 days or 60 days, the prolong use period is still within predetermined period of time as claimed in claim 9." (Office Action at page 9). Applicant respectfully traverses this assertion because the "prolong use period" in Takahashi et al. is set after the originally predetermined use period expires. (See col. 8, lines 16-23). In Takahashi et al., the "prolong use period" is actually a post-determined period of time. Applicant respectfully submits that in the above identified citation, the Office incorrectly interprets claim 9 of the current invention. In view of the foregoing, Applicant respectfully requests withdrawal of the rejection of claim 9.

Claims 2-4 are dependent upon claim 1; claims 6-8 are dependent upon claim 5; and claim 11 is dependent upon claim 10. The dependent claims are believed allowable for the same reason as stated above, as well as for their own additional features.

Applicant respectfully submits that the application as presented is in condition for allowance. Should the Examiner believe that anything further is necessary in order to place the

application in better condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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